

1 PHILLIP A. TALBERT  
2 Acting United States Attorney  
3 DEBORAH L. STACHEL  
4 Regional Chief Counsel  
5 Social Security Administration  
6 MARCELO ILLARMO (MABN 670079)  
7 Special Assistant United States Attorney  
8 160 Spear Street, Suite 800  
9 San Francisco, California 94105  
10 Telephone: (510) 970-4822  
11 Facsimile: (415) 744-0134  
12 E-Mail: Marcelo.Illarmo@ssa.gov  
13 Attorneys for Defendant

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

Case No. 1:21-cv-00073-SKO

STIPULATION AND ORDER FOR EXTENSION  
TO FILE OPPOSITION TO PLAINTIFF'S  
OPENING BRIEF

(Doc. 17)

CHERYL SERROS  
Plaintiff,  
v.  
KILOLO KIJAKAZI,<sup>1</sup>  
Acting Commissioner of Social Security,  
Defendant.

IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel of record, that the time for responding to Plaintiff's Motion for Summary Judgment be extended from October 28 to November 29. This is Defendant's first request for an extension of time to respond to Plaintiff's motion. Defendant respectfully requests this additional time

<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 because Defendant's counsel has a higher than normal workload, an additional time is needed to  
2 determine whether additional briefing is necessary.

3 The parties further stipulate that the Court's Scheduling Order shall be modified  
4 accordingly. This request is made in good faith and is not intended to delay the proceedings in  
5 this matter.

6 WHEREFORE, Defendant requests until November 29, 2021, to file her response to  
7 Plaintiff's opening brief.

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Respectfully submitted,

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11 DATE: October 22, 2021

*/s/* Jonathan Omar Pena\*  
JONATHAN OMAR PENA  
Attorney for Plaintiff  
(\* approved via email on 10/21/21)

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15 DATE: October 22, 2021

By PHILLIP A. TALBERT  
Acting United States Attorney  
*s/* Marcelo Illarmo  
MARCELO ILLARMO  
Special Assistant United States Attorney

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Attorneys for Defendant

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1 **ORDER**

2 Pursuant to the parties' above stipulation (Doc. 17), and for good cause shown,  
3 IT IS HEREBY ORDERED that Defendant shall have an extension, up to and including November  
4 29, 2021, to file her response to Plaintiff's Motion for Summary Judgment. All other dates in the  
5 Scheduling Order (Doc. 13) shall be extended accordingly.

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7 IT IS SO ORDERED.

8 Dated: October 25, 2021

/s/ Sheila K. Oberto  
9 UNITED STATES MAGISTRATE JUDGE

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